

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA : CASE NO. 3:21-cr-061
Plaintiff, : (Judge Thomas M. Rose)
v. :
WILLIAM S. HITCHINGS : DEFENDANT'S MOTION TO CONTINUE
Defendant. : SENTENCING HEARING

Now comes the Defendant, by and through the undersigned counsel, and respectfully moves the Court to continue the sentencing hearing currently set for December 7, 2022. As grounds for this motion, the Defendant has retained the services of an expert psychologist, Dr. Scott Bresler, to perform a mental health evaluation. This Court has already entered an Order allowing Dr. Bresler to enter the Butler County Jail for this purpose. Dr. Bresler was scheduled to perform the evaluation on Sunday, November 13, 2022. However, for reasons not understood by the undersigned counsel, the Butler County Jail refused Dr. Bresler entry. This matter has been taken up with the United States Marshal's Office, which is coordinating to ensure that the Butler County Jail complies with the Court's Order.

Counsel for the United States has indicated a desire to review any mental health evaluation report before filing sentencing memoranda in this case. Counsel for the Defendant also needs to review this report to determine if it will be admitted into evidence in sentencing proceedings and to what extent it will be used in the Defendant's sentencing memorandum. Accordingly, the Defendant respectfully requests that the Court continue the sentencing hearing in this matter to a date in early 2023.

Respectfully submitted,

/s/ James P. Fleisher

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Attorney for Defendant, William S. Hitchings

CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of November, 2022, I filed the foregoing document with the Clerk of Courts, United States District Court, Southern District of Ohio, by way of the Court's CM/ECF system.

/s/ James P. Fleisher

JAMES P. FLEISHER

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